S.B.Cr. Revision Petition No.436/2007

(Arjun Kumar Gupta Vs. State of Rajasthan & Anr.)

Date of order : August 10, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Umesh Shrimali, for the petitioner.

This is a revision petition under section 397 read with section 401 Cr.P.C. by the complainant against the judgment and order of acquittal passed by the Additional Chief Judicial Magistrate, Dungarpur (for short `the trial court' hereinafter).

I have heard learned counsel for the petitioner. Carefully gone through the judgment and order impugned.

In my view, the trial court was justified in recording the acquittal on proper and sound appreciation of the evidence. It is not a fit case warranting interference in revisional jurisdiction at the instance of the complainant. It is settled law that the order of acquittal cannot be converted to that of conviction in view of section 401 Cr.P.C.

The revision petition is, therefore, dismissed.

(H.R.PANWAR),J.

m.asif/-